

91st Illinois General Assembly Senate Transcript

STATE OF ILLINOIS
91ST GENERAL ASSEMBLY
REGULAR SESSION
SENATE TRANSCRIPT

56th Legislative Day

November 16, 1999

PRESIDENT PHILIP:

The regular Session of the 91st General Assembly will please come to order. Will the Members please be at their desks? Will our guests in the galleries please rise? Our prayer today will be given by Reverend James Johnson, Monroe Street Christian Church, Springfield, Illinois. Reverend Johnson.

THE REVEREND JAMES JOHNSON:

(Prayer by the Reverend James Johnson)

PRESIDENT PHILIP:

Please remain standing for the Pledge of Allegiance. Senator Sieben.

SENATOR SIEBEN:

(Pledge of Allegiance, led by Senator Sieben)

PRESIDENT PHILIP:

WAND-TV Channel 17 and IIS have asked permission to videotape the proceedings. Is leave granted? Leave is granted. Reading of the Journal. Senator Myers.

SENATOR MYERS:

Mr. President, I move that the Journal just read by the Secretary be approved, unless some Senator has additions or

corrections to offer.

PRESIDENT PHILIP:

Senator Myers moves to postpone the reading and the approval of the Journal, pending the arrival of the printed transcript. There being no objection, so ordered. Senator Demuzio, for what purpose do you rise?

SENATOR DEMUZIO:

Thank you, Mr. -- thank you, Mr. President. On a point of personal privilege, please.

PRESIDENT PHILIP:

State your point.

SENATOR DEMUZIO:

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In the gallery, visiting with us today, we have a group of students in the government class from Greenfield, Illinois, along with their teacher, Beth Bettis. I would ask that they be -- rise and be recognized by the Senate, please.

PRESIDENT PHILIP:

Will you please rise and be recognized by the Senate?
Messages.

SECRETARY HARRY:

Message from the President, dated November 15th, 1999.

Dear Mr. Secretary - Please be advised that I have replaced Senator Maitland with Senator Dillard on the Senate Rules Committee effective immediately.

Signed by President Philip.

A Message for the Governor by Charles Woodward, Director of Legislative Affairs.

Mr. President - The Governor directs me to lay before the Senate the following Message:

To the Honorable Members of the Senate, 91st General Assembly - I have nominated and appointed the following named persons to the offices enumerated below and on November 4th, 1999, previously asked for your concurrence in and confirmation of these appointments of your Honorable Body. Some of the information previously given was incorrect. Please accept this corrected copy of the Senate Message dated November 4, 1999.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, Resolutions.

SECRETARY HARRY:

Senate Resolution 209, offered by Senators Hawkinson, Shadid and all Members.

Senate Resolution 210, by Senator Noland and all Members.

Senate Resolution 211, by Senator O'Malley and all Members.

Senator -- Senate Resolution 212, by Senator Shaw and all

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Members.

And Senate Resolution 213, by Senator Fawell.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 214, offered by Senator O'Malley.

Senate Resolution 215, by Senator Wendell Jones.

Senate Resolution 216, by Senator Philip.

And Senate Joint Resolution 45, by Senator Maitland.

They're all substantive.

PRESIDING OFFICER: (SENATOR WATSON)

Committee Reports.

SECRETARY HARRY:

Senator Madigan, Chair of the Committee on Insurance and Pensions, reports Senate Bill 1103, the Motion to Concur with House Amendment 3 Be Adopted.

Senator Dillard, Chair of the Committee on Local Government, reports House Bill 1276 Do Pass, as Amended.

And Senator Syverson, Chair of the Committee on Public Health and Welfare, reports House Bill 2773 Do Pass, as Amended.

PRESIDING OFFICER: (SENATOR WATSON)

Introduction of Bills, Mr. Secretary.

SECRETARY HARRY:

Senate Bill 1273, offered by Senator Halvorson.

(Secretary reads title of bill)

1st Reading of the bill.

Senate Bill 1274, by Senator Shaw.

(Secretary reads title of bill)

1st Reading of the bill.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, are there any -- been any motions filed?

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SECRETARY HARRY:

Yes, Mr. President. Senator Halvorson has filed a motion with respect to Senate Bill 94; Senator Petka, a motion with respect to Senate Bill 794; and Senators Hawkinson, Cronin and others have filed a motion with respect to Senate Bill 480.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, the Chair requests that these motions be printed on the Calendar. So ordered. Senator Philip, for what purpose do you rise?

SENATOR PHILIP:

Thank you, Mr. President. Point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR PHILIP:

Yeah. We have Judge Mike Galasso, from DuPage County, an Appellate Court judge, on the Floor. Very happy to have him here. He's a great judge and he represents our -- our district extremely well.

PRESIDING OFFICER: (SENATOR WATSON)

Very good, Judge. Welcome. Welcome to the Illinois Senate. It's the -- have the attention of the Members. We're going to go to the regular Calendar, page 2. The top of page 2 is Senate Bills 2nd Reading. And we have Senate Bill 677. Senator Radogno. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

Senate Bill 677.

(Secretary reads title of bill)

2nd Reading of the bill. No committee or Floor amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We're at the middle of page 2 now, House Bills 2nd Reading. We have House Bill 1628. With leave of the Body,

we'd ask Senator Philip to handle that for Senator Klemm. Senator Philip is a hyphenated cosponsor. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

House Bill 1628.

(Secretary reads title of bill)

2nd Reading of the bill. The Committee on Executive adopted Committee Amendment No. 1.

PRESIDING OFFICER: (SENATOR WATSON)

Have there been any Floor amendments approved for consideration?

ACTING SECRETARY HAWKER:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. We will now proceed to page 9 of the regular Calendar. Page 9. Bottom of page 9 is Motions in Writing, Accept Specific Recommendations for Change. And the first one is -- is Senate Bill 451. We would encourage all the Members to be in your seats. This is going to be final action. And we'd like to have some order before we proceed. Is anybody listening? We would like to proceed, so let's -- let's everybody get in their chair so we can proceed, and this is final action. We are on the bottom of page 9, Motions in Writing, Accept Specific Recommendations for Change. Senate Bill 451. ...you. Senator Berman. Madam Secretary, read the motion, please.

ACTING SECRETARY HAWKER:

I move to accept the -- the specific recommendations of the Governor as to Senate Bill 451, in manner and form as follows:

Amendment to Senate Bill 451

in Acceptance of Governor's Recommendations

Filed by Senator Berman.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Berman.

SENATOR BERMAN:

Thank you, Mr. President. Good afternoon, Ladies and Gentlemen of the Senate. Senate Bill 451 was intended to give the county clerks of all the counties sufficient time to research all of the taxes - real estate taxes - that are due on any parcel of property in their counties and to enter that amount on the books so that any owner of property would know or prospective owner of property would know what the unpaid taxes were. This is a very large task. And the bill, as introduced, gave the county clerks until the year 2005 to complete that task. The Governor's amendatory veto moves it back to January 1 of 2001. This bill was introduced at the suggestion of the Cook County Clerk, David Orr. I am moving to accept the Governor's recommendation for change. If, in the year 2000, we find that because of the volume in Cook County, in particular, or any other counties, that it's just not possible to achieve that, we may come in with a bill next spring.

But at the -- at this point, we're willing to take the target date of 2001. I would move the acceptance of the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman has moved to accept the specific recommendations of the Governor as to Senate Bill 451. Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 451, in the manner and the form just stated by Senator Berman. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. The specific recommendations of the Governor as to Senate Bill 451, having been -- having received the required

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constitutional majority of the vote of the Senators elected, are declared accepted. We're on page 9 of the Calendar, on Senate Bill 801. Madam Secretary, please read the motion. 801. Senator Madigan, did you want this motion read? Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendation of the Governor as to Senate Bill 801, in manner and form as follows:

Amendment to Senate Bill 801

in Acceptance of Governor's Recommendations

Offered by Senator Madigan, Robert Madigan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan. Out of the record. Senate Bill 818. Senator Parker? Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 818, in manner and form as follows:

Amendment to Senate Bill 818

in Acceptance of Governor's Recommendations

Motion filed by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Thank you, Mr. President and Members of the General Assembly. I move to accept the Governor's recommendation, and this has to do with the amendment of the Domestic Abuse of Adults Act Intervention {sic}. We are only here delaying the implementation date until July 1st of the year 2000, which will allow for more funding to be available so that the program can be implemented in the correct manner.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Senator Parker has moved to accept

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the specific recommendations of the Governor as to Senate Bill 818. Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 818, in the manner and form just -- stated by Senator Parker. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, 1 voting No, no voting Present. The specific recommendations of the Governor as to Senate Bill 818, having received the required constitutional majority of the vote of the Senators elected, are declared accepted. Senate Bill 845. Senator O'Malley. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 845, in manner and form as follows:

Amendment to Senate Bill 845

in Acceptance of Governor's Recommendations

Motion filed by Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Thank you, Mr. President. Ladies and Gentlemen of the Senate, I -- I do move to accept the Governor's amendatory veto message concerning Senate Bill 845. The legislation in question has to deal with laser scopes, et cetera. There was a difference in -- in the language in our bill, this particular bill that is before us, and the House version. And the Governor preferred the language in the House version. With both of the bills in the form recommended by the Governor, any differences there or -- or confusion that may have arisen are gone and we have a very comprehensive package to deal with this issue.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator O'Malley has moved to accept the specific recommendations of the Governor as to Senate Bill 845. Is there any discussion? Senator Welch.

SENATOR WELCH:

I have a question of the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator O'Malley, is the penalty in House Bill 343 the same as

the penalty in Senate Bill 845? 'Cause my analysis says otherwise.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

I -- Senator Welch, I do not have that language in front of me. So if your -- if your -- I -- I have no reason to question the analysis that's in front you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Well, my understanding is that the penalty in the House bill is stricter than the penalty in the Senate bill. So if we vote for the Senate bill, we are voting for less -- a lesser penalty, is what it looks like to me. Your staff doesn't have anything on that?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley.

SENATOR O'MALLEY:

Yeah. Senator Welch, it's my understanding that -- that the penalty provided for in this -- in this particular legislation conforms with the other, and this is what the -- part of what the Governor was attempting to do with his amendatory language, to

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make sure that we have a comprehensive package in this area. So there are elements of both. Both bills will go forward and -- and make a very comprehensive law in this regard.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Tom Walsh.

SENATOR T. WALSH:

Well, I -- I believe that the House bill was -- was -- was signed by the Governor, anyway. It's -- which would make the point a -- a moot point. So...

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator O'Malley -- the -- the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 845, in the manner just stated -- in the form just stated by Senator O'Malley. All those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. The specific recommendations of the Governor as to Senate Bill 845, having received the required constitutional majority vote of Senators elected, are declared accepted. Senate Bill 847. Senator del Valle? Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 847, in manner and form as follows:

Amendment to Senate Bill 847

in Acceptance of Governor's Recommendations

Motion filed by Senator del Valle.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle.

SENATOR DEL VALLE:

Thank you, Mr. President. Senate Bill 847 expanded the

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definition of public housing to include scattered site units and mixed-income developments. The Governor's changes ensure consistency to add some Sections that were inadvertently left out in the Criminal Code. And so I move to accept the specific recommendations of the Governor.

PRESIDING OFFICER: (SENATOR WATSON)

Senator del Valle has moved to accept the specific recommendations of the Governor as to Senate Bill 847. Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 847, in the manner and form just stated by Senator del Valle. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that

question, there are 59 voting Yes, no voting No, no voting Present. The specific recommendations of the Governor as to Senate Bill 847, having received the required constitutional majority vote of the Senators elected, are declared accepted. Senate Bill 1068. Senator Madigan? Robert Madigan? Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1068, in manner and form as follows:

Amendment to Senate Bill 1068

in Acceptance of Governor's Recommendations

Motion filed by Senator Robert Madigan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Robert Madigan.

SENATOR R. MADIGAN:

Thank you, Mr. President, Members of the Senate. Senate Bill 1068 was drafted to address a problem with snow geese in the State of Illinois and bring the State of Illinois into compliance with

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other states and the federal government with regards to a liberalization of the taking of snow geese. The bill, as it went

to the Governor, the Governor felt that it was a little too broad. The language restricts it or narrows it down to what we intended to do, bringing it into compliance with federal regulations. And I would move to accept the Governor's amendatory veto on Senate Bill 1068.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Madigan has moved to accept the specific recommendations of the Governor as to Senate Bill 1068. Is there any discussion? Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1068, in the manner and form just stated by Senator Madigan. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. The specific recommendations of the Governor as to Senate Bill 1068, having received the required constitutional majority vote of those Senators elected, are declared accepted. We now move to page 10. Senator Philip? Madam Secretary, please read Senate Bill 1085's motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1085, in manner and form as follows:

Amendment to Senate Bill 1085

in Acceptance of Governor's Recommendations

Motion filed by Senator Philip.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

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Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 1058 {sic}, as the Governor has amendatorily vetoed, deals with automatic renewal of contracts. And what -- the bill originally said that the type had to be fourteen-point bold type. This changes it to the contract must appear in clear and conspicuous manner. And this is all it does. It's very simple.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip has moved to accept the specific recommendations of the Governor as to Senate Bill 1085. Is there any discussion? Is there any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1085, in the manner and form just stated by Senator Philip. Those in favor will vote Aye. And opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 58 voting Yes, no voting No, no voting Present. The specific recommendations of the Governor as to Senate Bill 1085, having received the required

constitutional majority vote of Senators elected, are declared accepted. Senate Bill 1155. Senator Lauzen? Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move to accept the specific recommendations of the Governor as to Senate Bill 1155, in manner and form as follows:

Amendment to Senate Bill 1155

in Acceptance of Governor's Recommendations

Motion filed by Senator Lauzen.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen.

SENATOR LAUZEN:

Thank you, Mr. President. Senate Bill 1155, as originally proposed, provides that no person may operate a second division

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vehicle loaded with aggregate in any part of the vehicle other than the cargo container, and also unless the vehicle tailgate is closed securely. So it added to the safety of our roads so that debris wouldn't come flying off and hit people -- people's windshields. The amendatory veto exempts trucks that are four tons less -- and less, including pickup trucks. I personally

believe that debris flying from any truck, whether it's a pickup truck or a gravel truck - the debris is still going to hit the windshield - still represents a danger. Unfortunately, the original bill was not acceptable to many downstate legislators in the House, and so I move to accept the Governor's amendatory veto.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Lauzen has moved to accept the specific recommendations of the Governor as to Senate Bill 1155. Is there any discussion? Is there any discussion? Any discussion? If not, the question is, shall the Senate accept the specific recommendations of the Governor as to Senate Bill 1155, in the manner and form just stated by Senator Lauzen. Those in favor will vote Yes. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 59 voting Yes, no voting No, no voting Present. The specific recommendations of the Governor as to Senate Bill 1155, having received the required constitutional majority vote of Senators elected, are declared accepted. Committee Reports.

ACTING SECRETARY HAWKER:

Senator Weaver, Chairman of the Committee on Rules, reports that the following Legislative Measures have been assigned: Refer to Judiciary Committee - Senate Amendment No. 1 {sic} (3) to House Bill 1175; refer to Licensed Activities Committee - Senate Amendment No. 1 to Senate Bill 239; refer to Public Health and Welfare Committee - Senate Resolution 202; and re-refer from

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Public Health to Rules Committee - Senate Resolution 202; refer to Transportation Committee - Senate Bill 1261; and Be Approved for Consideration - Senate Resolution 202, Senate Bill 544, House Bill 1812, House Bill 2648, Senate Amendment No. 2 to House Bill 809, Senate Resolution 205, Senate Resolution -- pardon me, 216, and Senate Joint Resolution 45.

PRESIDING OFFICER: (SENATOR WATSON)

We'll now go to page 10. Top of page 10. Third of the way down, I guess. Motions in Writing, Override Specific Recommendations. We have Senate Bill 423. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

...move that Senate Bill 423 do pass, the specific recommendations of the Governor to the contrary notwithstanding. Motion filed by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Members of the Senate, Senate Bill 423 was, as you may recall, a bill that was debated at length last spring, both in the House and the Senate. And there was substantial negotiations to try to come to a resolution. We reached an agreement and the bill passed, of course, both out of

the House and Senate with, frankly, no negative votes. The Governor's concern with what we did was that for those -- for those villages and cities that had in place some vegetative regulations, the State was circumventing those local issues. And that's true, and that's a -- that's a laudable reason of concern. But as we've talked with all sides of this issue, there is the need for uniformity across the State. This is one where local ordinance really shouldn't be different than the overall State guidelines. I've talked with a number of people. I've talked

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with a number of you. I -- I hope the Governor understands the concern we have, and would appreciate an affirmative vote.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland has moved that Senate Bill 423 pass, the specific recommendations of the Governor to the contrary notwithstanding. So is there any discussion in regard to this motion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. Could I ask the sponsor a question?

PRESIDING OFFICER: (SENATOR WATSON)

Sponsor indicates he'll yield, Senator Welch.

SENATOR WELCH:

Senator, my understanding is that this bill would -- would override rights of local cities and villages to set their own standards for tree trimming. Is that -- is that correct? And the veto requires them...

PRESIDING OFFICER: (SENATOR WATSON)

Would -- would the conferences be taken off the Floor? We're -- sponsor's having trouble hearing the question. Let's have some order. I believe Senator Maitland would like to have your -- that question repeated, Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. My understanding of this bill is that if a local government, a village or city, had an ordinance in effect, the Governor would allow that to remain in effect. What you're trying to do is override the Governor's veto and say that the standards are set by the State? Is that what you're saying?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Senator Welch, as I -- as I said in my -- in my explanation, this does override any municipal or village ordinances that are

now in effect. We had, I believe, contact with all of those that were in effect last spring, and -- and there was, as I recall, complete agreement. Now, I think, without question, they would rather keep their own in place, but also they agreed to this and I think, at least the communities I've talked with now, are supportive of the amendatory veto. I have not spoken to all of them, however.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

I have a note here that says that the Municipal League is opposed. Is -- is that no longer true? Are they now in favor or neutral on this bill, or are they still opposed?

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland.

SENATOR MAITLAND:

Well, my -- my relationship with the Municipal League has deteriorated today as the result of another committee meeting, but they have not said one word to me. They were a part of the negotiations and I -- I -- I thought they were okay on this, but they have not said anything to me, Senator Welch.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? If not, Senator Maitland, to close? Would you like to close, sir? Senator Maitland has moved that Senate Bill 423 pass, the specific recommendations of the Governor to the contrary notwithstanding. And the question is, shall Senate Bill 423 pass, the specific recommendations of the Governor

to the contrary notwithstanding. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are 40 voting Yes, 15 voting No, 1 voting Present. Senate Bill 423, having received the required

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three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. We will now return to page 9. In the middle of page 9, we find Motions in Writing, Override Total Vetoes. And, Senator Welch, you're the first one. Senate Bill 233. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move that Senate Bill 233 do pass, the veto of the Governor to the contrary notwithstanding.

Motion filed by Senator Welch.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch.

SENATOR WELCH:

Yeah. Thank you, Mr. President. This bill was passed unanimously by the Senate, and the reason we did that is because it does what happens with a couple of other districts throughout

the State, and that is allow bonds to be issued that are tax-exempt. The bonds issued by the Upper Illinois River Valley Development Authority would be exempt from interest as far -- their interest would be exempt from State taxations. The purpose of the bill, of course, was to encourage economic development. We already have a couple other agencies in the State of Illinois, by the East St. Louis area, that have similar provisions. So the Governor's rationale for vetoing the bill is -- is very tenuous because we already have this in existence. There already are bond -- bonding entities that issue tax-exempt bonds. This was an attempt to continue that, and that's why it passed unanimously. So I would urge an override of the Governor's veto.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Welch has moved that the -- Senate Bill 233 do pass and -- the veto of the Governor to the contrary notwithstanding. Is there any discussion in regard to this motion? Is there any discussion? If not, the question is, shall Senate Bill 233 pass,

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the veto of the Governor to the contrary notwithstanding. Those in favor will vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted

who wish? Have all voted who wish? Take the record. On that question, there are 37 voting Yes, 16 voting No, no voting Present. Senate Bill 233, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Maitland, on Senate Bill 751. Senator Dudycz, excuse me, for what purpose do you rise, sir?

SENATOR DUDYCH:

Yes. Thank you, Mr. President. I would ask that we verify the positive votes on the last bill.

PRESIDING OFFICER: (SENATOR WATSON)

That request is in order. Senator -- Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I'd like to point out that you had already called the next bill for a vote. The bill was on the tote board and we had already moved on. And under our rules, it would be too late to call for verification. Plus, after voting for that, a number of Members ran out of the Chamber to issue press releases. So I would say that we've already passed that bill by, and I would say that it's time to move on.

PRESIDING OFFICER: (SENATOR WATSON)

That motion, or that request, is in order. We had not gone to the next order of business, Senator Welch. And -- Senator Cullerton.

SENATOR CULLERTON:

I notice now with the -- on these pro football games, the NFL games, they have this thing where you can do a -- like a verification of the -- of the replay. If you call on the next play and they snap the ball, then it's too late to have -- ask for

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your verification. That's the analogy that he's making here. Now, when would you think the next play is being called, short of having it up on the tote board and -- and starting the -- having it announced into the record that the next bill is now what we're focusing on?

PRESIDING OFFICER: (SENATOR WATSON)

Well, I appreciate the explanation of the new rule in the NFL for everybody's edification. But I had not gone to the next order of business. Senator Dudycz has requested a verification. Will all the Senators please be in their seats? The Secretary will read the affirmative votes.

ACTING SECRETARY HAWKER:

The following Members voted in the affirmative: Bomke, Bowles, Clayborne, Cronin, Cullerton, DeLeo, del Valle, Demuzio, Halvorson, Hawkinson, Hendon, Jacobs, Emil Jones, Wendell Jones, Lightford, Link, Lisa Madigan, Robert Madigan, Maitland, Molaro, Myers, Noland, O'Daniel, O'Malley, Parker, Peterson, Petka, Shadid, Shaw, Silverstein, Smith, Sullivan, Trotter, Viverito, Larry Walsh, Thomas Walsh, and Welch.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Dudycz, do question the presence of any Member?

SENATOR DUDYCZ:

Senator DeLeo.

PRESIDING OFFICER: (SENATOR WATSON)

Senator DeLeo is in his seat.

SENATOR DUDYCZ:

Senator Hendon.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Hendon is in his chair.

SENATOR DUDYCZ:

Is Senator -- yes, she is. Senator Molaro.

PRESIDING OFFICER: (SENATOR WATSON)

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Back of the Chamber.

SENATOR DUDYCZ:

I'm striking a hundred. How about Senator O'Daniel?

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Daniel is in his chair.

SENATOR DUDYCZ:

Senator O'Malley.

PRESIDING OFFICER: (SENATOR WATSON)

Senator O'Malley? Senator O'Malley in the Chamber? Strike his name, Madam Secretary.

SENATOR DUDYCZ:

Senator Sullivan.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Sullivan? Senator Sullivan in the Chamber? If not, Madam Secretary, strike his name. On a verified -- Senator Berman, for what purpose do you rise?

SENATOR BERMAN:

I just want to advise the Chair, after you announce this vote, I will move -- having voted on the prevailing side, I will move to reconsider the vote by which Senate Bill 233 fails.

PRESIDING OFFICER: (SENATOR WATSON)

I would assume you will do that in writing. On a verified roll call, the Ayes are 35, the Noes are 16, and no voting Present. Senate Bill 233, having failed to receive the required constitutional majority, is declared lost. Make sure nobody's got a light on. We will move on to Senate Bill 751. Senator Maitland? Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move that Senate Bill 751 do pass, the veto of the Governor to the contrary notwithstanding.

Motion filed by Senator Maitland.

PRESIDING OFFICER: (SENATOR WATSON)

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Senator Maitland.

SENATOR MAITLAND:

Thank you very much, Mr. President. Members of the Senate, back in the old days, about the only way we divided property lines was by hedgerows and that language still is in the Statutes today. And the law required that those hedgerows, if the adjacent farmers insisted, must be kept -- kept trimmed to a height of -- of five feet. In later years, fencerows have been, in some cases, allowed to grow up and no longer hedge is the vegetation, but large trees. And in many cases, those trees overhang onto the adjacent property owner's property rights and -- and take a lot of land out of production. Now, there's very few times that there's concern between farmers; they get along very well. But this bill would simply put teeth in the law; that if the fence -- if the vegetative fencerow was causing problems with the adjacent landowner, that they could be forced to trim it to accommodate the concerns of the -- of the adjacent farmer. The Governor's concern here, as I understand it, was in cases where there was State property adjacent to farmland, that this would be an added expense to the State if the farmer across the line insisted that the -- that the vegetation be trimmed. And, indeed, that would be a cost to the State. But I believe the property owner, the private entrepreneur, has property rights as well and ought to be able to insist that the land -- that the trees, at least, be trimmed. So

I would seek, Mr. President, to override the Governor's veto of Senate Bill 751.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Maitland has moved that Senate Bill 751 pass, the veto of the Governor to the contrary notwithstanding. Is there any discussion? Is there any discussion? If not, the question is, shall Senate Bill 751 pass, the veto of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Opposed,

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vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are 50 voting Yes, 5 voting No, no voting Present. Senate Bill 751, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Parker, on Senate Bill 786. Madam Secretary, please read the motion.

ACTING SECRETARY HAWKER:

I move that Senate Bill 786 do pass, the veto of the Governor to the contrary notwithstanding.

Motion filed by Senator Parker.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker.

SENATOR PARKER:

Senate Bill 786 passed unanimously out of this Chamber in the spring, and it creates the Micro-Enterprise and Self-Employment Assistant {sic} (Assistance) Act, a council within DCCA. At the time, DCCA did testify in favor of the bill in committee. This is a -- a good way of helping people that are on welfare get off of welfare or small employers be able to have information and knowledge available to them so that they can get into their own employment, and then it's also good for the local economy. The DCCA, as I say, did testify in favor of it. The Governor vetoed it because of the cost not being in DCCA's budget. We feel that this bill should pass, it should be implemented. And as the funds are available, DCCA can then implement the council so that we can go on with this important work, and I would respectfully request an override. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Parker has moved that Senate Bill 786 pass, the veto of the Governor to the contrary notwithstanding. Is there any discussion? Senator Demuzio.

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SENATOR DEMUZIO:

Well, thank you, Mr. President. As I read the veto message here, the Governor indicates that he's not opposed to the idea of a council. Therefore, I assume that if DCCA wanted a council, they would just simply create one. We're -- we're -- we don't have any prohibition against them creating a council. The fact of the matter is, there's no specific funding for the creation of this council, and according to the Governor, would be detrimental to the existing DCCA programs. So, why are we overriding a bill that the Governor says he doesn't want for his own administration? Seems to me to be redundant, seems to me to be more bureaucracy, and seems to me, perhaps, we ought to support the Governor in this -- in this effort.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Just to follow up on Senator Demuzio's point. When we voted for the bill, I assumed that there was going to be an appropriation that accompanied it. We learned, after the end of our Session, that there was no appropriation. So now DCCA comes along and says, "We've got a problem here. If we create this entity, there'll be a need for a hundred and eighty-four thousand dollars, which hasn't been appropriated. We'll have to take it from other programs. And as a result, that's why we're opposed to this bill." That -- that logic makes sense. I'm really kind of surprised that you're moving to override. So perhaps you can -- you can comment, in -- in closing, as to why that logic is -- is faulted, if it's -- if it is. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? If not, Senator Parker, to close.

SENATOR PARKER:

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As I said, as the -- if we implement the specifics on allowing DCCA to go ahead with this program, and we do believe that we need the legislation to do this, that as they come up with the funding -- and the funding we do have discrepancies from. We did get information from DCCA. We don't believe that they knew -- that they need two employees to be implementing this and all of the costs that they are saying. We don't feel that -- are correct. And we have -- working with them to try and possibly get additional monies for them in next year's budget, and also would like to work with them on getting the cost down so this does not have to cost that much. And it is not a cost; it's an investment. Micro-enterprises are jobs and employment that people can go into by themselves. They can have information with access on fifteen thousand dollars or more of loans. Normally, banks will not accommodate those. And so, for those people and for the -- the better economy and for helping people get off of welfare, we feel that it's important for DCCA to go ahead with parts of this

program that they could do within their budget right now, without any additional cost, and as those funds become available, they can implement the program that they testified in favor of and wanted to do in last year's Session. I would -- request an Aye vote.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill -- 786 pass, the veto of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? ...the record. On that question, there are 26 voting Yes, 24 voting No, 4 voting Present. And the motion fails. Senator Cronin, on Senate Bill 812. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

I -- I move that Senate Bill 812 do pass, the veto of the

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Governor to the contrary notwithstanding.

Motion filed by Senator Cronin.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin.

SENATOR CRONIN:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. Senate Bill 812, as you may recall, was a bill that passed unanimously last spring and it allows contractors to negotiate -- or, renegotiate a contract if they come upon an unexpected physical condition at the work site. Under current law, a contractor -- without this bill, a contractor has no basis for a claim under a contract if the contractor encounters subsurface conditions or latent conditions that materially differ from the conditions that were indicated in the contract documents. This was a bill that -- that received extensive discussion. I think once people really looked at it, they understood it and that's why it received unanimous support. I ask for your favorable consideration in overriding the Governor's veto.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Cronin has moved that Senate Bill 812 pass, the veto of the Governor to the contrary notwithstanding. Is there any discussion? Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

Thank you, Mr. President, Ladies and Gentlemen of the Senate. I rise in support of this bill. What this bill essentially does, in my understanding, it -- it brings municipal contracts in line with what contracts would be normally in the industry. In the case of private contracting, there's always a clause which permits the contractor to renegotiate the terms if they found latent or unknown conditions in subsoil situations. So this does make sense. It's good for the construction industry. I just wanted to stand in support with Senator Cronin.

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PRESIDING OFFICER: (SENATOR WATSON)

Is there any other discussion? If not, Senator Cronin, do you wish to close?

SENATOR CRONIN:

Yes. Thank you, Mr. President. Not to belabor the thing, but Senator Rauschenberger said it best. This helps the little contractor who may not have the opportunity to come in and incur the huge costs of an unforeseen circumstance. This helps out for a more competitive contractor economy. It gives the littler guy the chance to come in and bid on projects in a fair circumstance. I ask for your favorable consideration to override the Governor's veto.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 812 pass, the veto of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 55 voting Yes, 1 voting No, no voting Present. Senate Bill 812, having received the required three-fifths vote, is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Rauschenberger,

on Senate Bill 1141. Madam Secretary, please read the bill.

ACTING SECRETARY HAWKER:

I move that Senate Bill 1141 do pass, the veto of the Governor to the contrary notwithstanding.

Motion filed by Senator Rauschenberger.

PRESIDING OFFICER: (SENATOR WATSON)

Before we proceed, can we just -- one more time. Let's hold it down. Let's have some order. And I'll be honest with you, the vast majority of the problem is in the back of this side of the Chamber. Senator Rauschenberger.

SENATOR RAUSCHENBERGER:

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Thank -- thank you, Mr. President, for settling down the Chamber. Senate Bill 1141 was vetoed by the Governor's Office because he was concerned that it might reduce competition in cable television and provide an expensive but unnecessary burden on municipalities. I rise today urging the Senate to override the veto, because I think what's happening in electronic communication, together with the telephone, telephony, as well as wireless and cable, is actually a merging of technologies. Broadband communication is the -- the -- the really -- discussion

of the day. And allowing municipalities, whose job it is to regulate and control the public right-of-way and oversee contracts with franchisees, encouraging or permitting them easily to get into the business of competing in -- cable television, is an inappropriate decision. We didn't want to prohibit a municipality's right to enter into another line of business. We simply organized this bill to require them to use a referendum model, to take it to their voters, if they wanted to take a major step and enter a very fast-paced electronic industry. States across the country, in particular, Iowa, have gone into major efforts to try to do their own cable, their own telecommunication, and, in some cases, their own Intranet. Overwhelmingly what they've found is that public administration and public ownership is not in the best interest of their citizens, because the changing technology obsolesces what's going on so quickly. Far better that the -- the owners of the cable systems, owners of the telecommunication systems, the owners of the airwaves that are doing the new wireless changes, let them stand the cost and the investment. I don't think municipalities have a -- a negative or a -- a foolish point of view; I just think that we ought to focus municipalities on their job, which is regulation of the right-of-way and protection of their citizens. They ought not to get into ancillary enterprises in a area like this at this time.

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But, again, this bill doesn't prohibit them. It simply requires them to go to referenda and do a thoughtful job before they do get into this business. I think the bill's very reasonable. I think the changes in the industry make the Governor's veto less important. I -- as I understand it, the Governor doesn't take a position on this override motion, so he's... I would appreciate favorable consideration. I'd be happy to answer questions about why this is a good idea.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Rauschenberger has moved that Senate Bill 1141 pass, the veto of the Governor to the contrary notwithstanding. Is there discussion? Senator Welch.

SENATOR WELCH:

Thank you, Mr. President. I was reading the Governor's veto message and his analogy between this bill and -- and required duties of a municipality are -- are totally separate. The Governor's veto message says that a city is not required to submit questions regarding waste treatment, garbage collection or snow removal to a referendum; the cable TV shouldn't be treated any differently. I think that the Governor has hit upon a good idea here. There's no reason why there shouldn't be a city in competition with a cable TV company. Right now we have cities in the business of -- of electrical utilities. Why not have them in the business of cable TVs? Cable TV has time and again refused to have -- to be regulated by the Citizens Utility Board, which I've tried several times. There is very little regulation of cable TV

companies. In my area, the selection of channels is -- is at the whim of the cable TV companies. There isn't any countervailing force to come into some small areas to provide cable TV, so there is no competition. So we're left with a bunch of lousy channels on our TV stations in downstate Illinois. And many times, you know, we've been -- we had to put up a fight to get the Peoria TV

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station on our -- on our TV. That shows you how -- how we are lacking in TV channels, when you fight to get Peoria's TV station. But we -- we will take what we can get. And we're fighting to get Rock Island as well. And -- so we are -- we have succeeded in both of those, so we are making some progress. But only after ten years. When they come up with a different show, they -- they take Peoria's TV channel away from us. Then when they get a few more channels, we get Peoria back on a new number, so you've got to relearn all the numbers. So, it seems to me that we need to have competition in this industry. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hawkinson.

SENATOR HAWKINSON:

Thank you, Mr. President. I, too, rise in opposition to this

motion, and for many of the same reasons. In most of our downstate communities, Senator, we don't have the competition. The companies won't upgrade, in large part. And our cities are reacting to the demand from their citizens to give them an alternative. And this bill, I think, is wisely vetoed by the Governor because it attempts to put a barrier in the way of that competition, and for that reason, I urge a no vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Sieben.

SENATOR SIEBEN:

Thank you, Mr. President, Members of the Senate. I also rise in opposition to the gentleman's motion. The two previous speakers have made the key points on this issue. I have a letter from the Mayor of the City of Rock Falls. They've been struggling with this issue for the past year, and I think maybe they were the impetus for the cable TV industry to put the legislation forward requiring that they have a referendum. City of Rock Falls has the same kind of problems the previous speakers talked about of trying

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to get competition and better service from their cable TV provider. Requiring that that city council have a referendum just

is an impediment to their ability to bring about competition. That city council represents the people in their community. Why should they have to take it to referendum? I, too, urge a No vote.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Cullerton.

SENATOR CULLERTON:

Yes. Thank you, Mr. President, Members of the Senate. I supported this bill when it was up and I -- I still do. If I understand what the downstaters are saying, is that there's areas in -- in downstate where there's only one cable company, it doesn't provide good service and you want competition. But there's no ban on having competition now; it's just that private industry has decided not to come in and compete in that particular town because of economic reasons. So they've decided not to do it. If I understand what this bill does, this -- this would allow for taxpayers, through their municipality, to start their own cable company. So -- and what the bill says is, if we're going to have taxpayers paying for a competing cable company, which apparently would lose money, because no other cable company has decided to come in there and compete, we ought to have a referendum first, before the taxpayers have to pay for it. You know, even in the communities that have cable, not everybody gets cable. I think they only have, at the most, about sixty percent of the people that would even order cable. So what about the forty percent that don't even want cable? Why should they have to pay their taxpayer dollars for a -- a municipally owned cable television company? If they -- if you want to have them do that,

at least give them right for a referendum, and that's what this bill is about. So, I'm sorry about your downstate cable service,

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but this is not the way to -- to solve the problem, by having a -- a threat of having the municipalities start their own company. For that reason, I would support the gentleman's motion.

PRESIDING OFFICER: (SENATOR WATSON)

Further discussion? Senator Hendon.

SENATOR HENDON:

Thank you, Mr. President. I, too, rise in support of the gentleman's motion for the reasons so eloquently stated by Senator Cullerton and by the sponsor.

PRESIDING OFFICER: (SENATOR WATSON)

Any other discussion? Senator Demuzio.

SENATOR DEMUZIO:

Well, I've listened to this and there's just certain times you have to support the Governor, and I guess this is the time. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

Any further discussion? Senator Rauschenberger, to close.

SENATOR RAUSCHENBERGER:

Thank you. I -- I always enjoy spirited and thoughtful debate. I'd like to point out a couple of things that I think, perhaps, some of the people who are concerned about supporting the veto missed. If -- if Senator Welch would reflect on the difficulties and the problems we had with electric deregulation, there are two areas of the State which will not get competition in electric generation. Those are areas served by co-ops and municipal electrics. They were carved out of the bill because of their political interests, and it means many of those people in co-ops and in some municipalities will continue to pay some of the highest electrical costs in the State of Illinois. Municipal monopolies are not a way to move into the future, whether it's electric, whether it's cable or anything else. Even the enlightened City of Springfield, which we all enjoy for seventy to

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ninety days a year, depending upon the Calendar, bids out its garbage service. And more and more, the idea of competition is a valuable thing. So before we rush into the deployment of technology through municipalities, I'd ask people to give pause. I also recognize that Senator Welch is concerned about choice and about competition. I am very much concerned as well. Those areas

that have permitted the deployment of government monopolies in technology have retarded their area's development, not encouraged it. Cable TV has never been a monopoly, and I think people need to recognize that from the onset. Broadcast television and satellite have always been in competition. We are within months of the deployment of broadband technology, which can bring a television signal through your telephone wire. There's almost instant competition on the threshold. To have municipal governments entering into this field, as I say, with fast-changing technology, is not in our voters' best interests. And when you think about it, why referendums? I think the question was raised. Why ask the -- the taxpayers, the voters, the people who are going to have to live with the results, to endorse a major decision like entering a new enterprise? Well, I think that question speaks to itself. It's why the majority of this Chamber has supported tax caps. It's why the majority of this Chamber believes in elective judges. Elections, referendums are positive things, particularly when we have municipalities entering into new fields of business. This is not garbage collection, this is not water distribution, and this is not police authority. This is a new area of enterprise that municipalities ought to tread lightly. But keep in mind, this bill is not a prohibition. It simply asks them to pause, think real hard about the best interests of their citizens, not about how excited they might be or mad about not being able to get the Peoria channel wherever it is they live. So I would respectfully urge all of you to vote to override this veto because

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it is in the best interests of your citizens. Thank you.

PRESIDING OFFICER: (SENATOR WATSON)

The question is, shall Senate Bill 1141 pass, the veto of the Governor to the contrary notwithstanding. Those in favor, vote Aye. Opposed, vote No. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On that question, there are 40 voting Yes, 14 voting No, 2 voting Present. Senate Bill 1141, having received the required three-fifths vote is declared passed, the veto of the Governor to the contrary notwithstanding. Senator Myers, for what purpose do you rise, ma'am?

SENATOR MYERS:

Mr. President, a point of personal privilege.

PRESIDING OFFICER: (SENATOR WATSON)

State your point.

SENATOR MYERS:

In the gallery behind you is a group from Marshall Junior High School. It's a choir that had performed in the Rotunda recently. And I wondered if we might recognize them.

PRESIDING OFFICER: (SENATOR WATSON)

Certainly. Would our friends in the gallery please rise? And welcome to the Illinois Senate. Senator Welch, for what purpose do you rise?

SENATOR WELCH:

I'd like a verification of the last vote.

PRESIDING OFFICER: (SENATOR WATSON)

On page 2 of today's Calendar is -- on the Order of House Bills 3rd Reading. It is the intent of the Chair to proceed to that order of business for the purpose of recall. On that order is House Bill 809. Senator Fawell seeks leave of the Body to return Senate {sic} Bill 809 to the Order of 2nd Reading for the purpose of an amendment. Hearing no objection, leave is granted.

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On the Order of 2nd Reading is Senate {sic} Bill 809. Mr. Secretary, are there any Floor amendments approved for consideration?

SECRETARY HARRY:

Amendment No. 2, offered by Senators Philip and Fawell.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Philip.

SENATOR PHILIP:

Thank you -- thank you, Mr. President, Ladies and Gentlemen of the Senate. It simply changes one word, the word from "purchased" to "manufactured". Move the adoption of the amendment.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any discussion? Any discussion? If not, all those in favor, say Aye. Opposed, Nay. The Ayes have it, and the amendment is adopted. Are there any further Floor amendments approved for consideration?

SECRETARY HARRY:

No further amendments reported.

PRESIDING OFFICER: (SENATOR WATSON)

3rd Reading. Senator Karpiel, for what purpose do you rise, ma'am?

SENATOR KARPIEL:

Thank you, Mr. President. I rise to announce a caucus, a Republican Caucus, in Senator Philip's Office immediately upon adjournment.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Burzynski.

SENATOR BURZYNSKI:

Thank you, Mr. President. For the purpose of an announcement.

PRESIDING OFFICER: (SENATOR WATSON)

State your announcement.

SENATOR BURZYNSKI:

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The Licensed Activities Committee will meet at 2:10, or immediately following the adjournment of the caucuses, in Room 400, to hear one amendment to Senate Bill 239.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman, for what purpose do you rise?

SENATOR BERMAN:

Thank you, Mr. President. On -- regarding Senate Bill 233, I have filed a motion to reconsider the vote by which the motion to override failed.

PRESIDING OFFICER: (SENATOR WATSON)

That motion will be read in, in just a moment. Has to go on the Calendar then. Senator Smith.

SENATOR SMITH:

I wish to announce: There will be a Democratic Caucus meeting in the Office of Senator Emil Jones immediately at the close of this meeting and business of importance and we ask each one to please be in attendance.

PRESIDING OFFICER: (SENATOR WATSON)

Is there any other business to be brought before the Senate?
Oh! Senator Berman.

SENATOR BERMAN:

When you say that my motion to reconsider must be on the Calendar, are we issuing a Supplemental Calendar now?

PRESIDING OFFICER: (SENATOR WATSON)

No.

SENATOR BERMAN:

Then let me suggest to you, and I refer you to Rule 7-15 of

Article V {sic} (VII), and may I quote to you: A member who voted on the prevailing side of a record vote on a legislative matter still within the control of the Senate may on the same or following day move to reconsider the vote. It goes on to say, however: When the motion to reconsider is made during the last

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scheduled days of -- last three scheduled days of Regular Session, or any time thereafter during the regular session, or at any time during a veto or special session, any member may move that the vote on reconsideration be taken immediately. That is my motion, Mr. President. And I ask that we take a vote on that now, which is immediately, as authorized by our rules.

PRESIDING OFFICER: (SENATOR WATSON)

Well, it will be -- the bill will be held and it will be printed on the Calendar for tomorrow. So -- if that's your concern. Senator -- or, Mr. President {sic}, read the motion please. Are there any motions that have been filed, Mr. Secretary?

SECRETARY HARRY:

Yes, Mr. President. Senator Cronin has filed a motion with respect to Senate Bill 653. Senator Molaro has filed a motion

with respect to Senate Bill 1136. Senator Welch has filed a motion with respect to Senate Resolution 204. And Senator Berman has filed a motion with respect to Senate Bill 233.

PRESIDING OFFICER: (SENATOR WATSON)

Mr. Secretary, the -- the Chair requests that these motions be printed on the Calendar. So ordered. Resolutions.

SECRETARY HARRY:

Senate Resolutions 217, 218 and 219, all offered by Senator Demuzio.

They're all death resolutions, Mr. President.

PRESIDING OFFICER: (SENATOR WATSON)

Consent Calendar.

SECRETARY HARRY:

Senate Resolution 220, offered by Senator Cronin.

It's substantive.

PRESIDING OFFICER: (SENATOR WATSON)

The Introduction of Bills.

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SECRETARY HARRY:

Senate Bill 1276 {sic} (1275), offered by Senator O'Malley.

(Secretary reads title of bill)

Senate Bill 1277 {sic} (1276), by Senator del Valle.

(Secretary reads title of bill)

And Senate Bill 1278 {sic} (1277), by Senators Philip and Maitland.

(Secretary reads title of bill)

1st Reading of the bills.

PRESIDING OFFICER: (SENATOR WATSON)

Senator Berman.

SENATOR BERMAN:

Mr. President, I'm going to ask a question that I would like on the record, and I recognize that you may not be sitting in that Chair tomorrow, but you, as the Presiding Officer at this moment, have, I believe, the responsibility to abide by our rules. Now, if you want to put this -- my motion to reconsider on Senate Bill 233 over till tomorrow, I have no objection. Will it be called tomorrow, Mr. President?

PRESIDING OFFICER: (SENATOR WATSON)

As you said, I may not be sitting in this Chair tomorrow for me to make a determination. But it will be on the Calendar and it could very well be called. Senator Berman.

SENATOR BERMAN:

The rules, as I read them, gives me the opportunity to call for an immediate vote. If you're -- if you are requesting that that be put over, for whatever reason, I'm willing to abide by it, but according to the rules, I could have a vote now. If it's going to be put over till tomorrow, that's fine with me, but I want an assurance. And I think that whoever is sitting in that Chair, if you tell me it will be called tomorrow, they will abide by that commitment. That's why I'm asking you.

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PRESIDING OFFICER: (SENATOR WATSON)

Well, I appreciate that question. Is there any other business to be brought before the Senate? If not, Senator Berman moves that we -- Senate stand adjourned until noon, Wednesday, 17th of November. The Senate stands adjourned.

